

10-31-06

10/2173

Attorney Docket No. 04737/LH



**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant : Yutaka UEDA  
Serial No. : 10/511,871  
Filed : October 18, 2004  
For : RECORDING MEDIUM AND PROGRAM  
Customer No.: 01933  
Art Unit : 2173  
Examiner : CABECA, John W.  
Confirm. No.: 6520

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Date of Deposit: October 30, 2006

I hereby certify the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231

*Diane J. Hegstrom*  
Diane J. Hegstrom

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by credit card payment, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

**INFORMATION DISCLOSURE STATEMENT  
WITH STATEMENT UNDER 37 CFR 1.97(e)  
AND STATEMENT UNDER 37 CFR 1.704(d)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R :

Submitted herewith are the following:

- (1) Copy of a European Search Report dated October 6, 2006 issued in a counterpart European application;
- (2) Copies of cited publications (except U.S. patents and publications); and
- (3) Forms PTO/SB/08A.

The European Search Report is in English, thereby satisfying the requirements for a concise explanation of relevance for any non-English language publications cited therein (MPEP 609.04(a) III).

English language Abstracts are provided for each of the cited documents.

USP 6,208,770 and US 2001/006569 listed on the attached PTO/SB/08A are counterparts of EP 1,089,278 cited in the attached European Search Report. USP 7,027,717 listed on the attached Form PTO/SB/08A is a counterpart of EP 1 089 278. See the Annex to the European Search Report.

USP 7,027,717 is also a counterpart of JP 2002-101790 which was cited in the IDS filed October 18, 2004. See the Annex to the European Search Report.

JP 09-395381 and JP 2001-014152, cited in the European Search Report, were cited in Applicant's Information Disclosure Statement filed October 18, 2004, and are not cited again herein.

**STATEMENT UNDER 37 CFR 1.97(e) (1)**

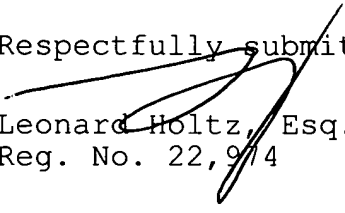
Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of October 6, 2006. Therefore, the filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(e) and does not require a fee.

**STATEMENT UNDER 37 CFR 1.704(d)**

Each item of information contained in this Information Disclosure Statement was cited in said communication from a foreign patent office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the present Information Disclosure Statement.

It is requested that an initialed copy of the Form PTO/SB/08A be returned to indicate that the publications listed therein have been considered and made of record.

Respectfully submitted,

  
Leonard Holtz, Esq.  
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PTO/SB/08A (08-00)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  			Application Number		10/511,871	
			Filing Date		October 18, 2004	
			First Named Inventor		Yutaka UEDA	
			Group Art Unit		2173	
			Examiner Name		CABECA, John W.	
Sheet	1	of	1	Attorney Docket Number		04737/LH

### U.S. PATENT DOCUMENTS

Exam. Inits*	Cite No <sup>1</sup>	Document Number	Kind Code <sup>2</sup>	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion
		6,208,770	B1	GILMAN et al	03-27-2001	
		2001/0006560	A1	GILMAN et al	07-05-2001	
		7,027,717	B1	TSUJII et al	04-11-2006	

### FOREIGN PATENT DOCUMENTS

Exam Inits*	Cite No <sup>1</sup>	Offc <sup>3</sup>	Document Number <sup>4</sup>	Kind Code <sup>5</sup>	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T <sup>6</sup>
		EP	0 987 880	A2	EASTMAN KODAK CO.	03-22-2000		
		EP	1 089 278	A2	SONY CORP.	04-04-2001		
		JP	11-039781	A	FUNAI ELECTRIC CO LTD.	02-12-1999		x
		JP	2002-116946	A	CANON INC.	04-19-2002		x
			* Includes English Abstract					

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Place a check here if English translation is attached.

DATE MAILED: October 30, 2006